

ASSEMBLY BILL

No. 145

Introduced by Assembly Member Lowenthal

January 17, 2003

An act to add Section 6035.5 to the Penal Code, relating to probation officers.

LEGISLATIVE COUNSEL'S DIGEST

AB 145, as introduced, Lowenthal. Probation officers: training: domestic violence.

Existing law requires the Board of Corrections to adopt rules establishing minimum standards for the selection and training of local corrections and probation officers. First-year probation officers are required to receive 200 hours of training while current probation officers are required to receive 40 hours of elective coursework.

This bill would require probation officers to receive, as part of their minimum required training, 3 hours of training and coursework on domestic violence, as specified, and to receive training and coursework in domestic violence as part of their continuing education requirements. This continuing education requirement must be met at least once every 2 years and must include 3 hours of training and coursework in specified areas of domestic violence. The bill would authorize the chief probation officer of each county to exempt from these requirements any probation officer who by virtue of his or her job description and duties would not come in contact with domestic violence offenders or victims. In addition, the bill would provide that a probation department that has an established domestic violence training program that meets or exceeds the training requirements of this bill would be authorized to apply to the

board to exempt its personnel from some or all of the domestic violence requirements of this bill.

By increasing the level of service this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 6035.5 is added to the Penal Code, to
- 2 read:
- 3 6035.5. (a) Minimum training standards applicable to
- 4 probation officers pursuant to Section 6035 shall include three
- 5 hours of training and coursework in domestic violence, which
- 6 shall include the dynamics of power and control, the nature of
- 7 violence, gender roles and socialization, and safety planning for
- 8 victims. This training shall be part of the initial training
- 9 requirement, not in addition to it.
- 10 (b) Following completion of the initial three hours of training
- 11 and coursework required in subdivision (a), probation officers
- 12 shall receive continuing domestic violence training and
- 13 coursework as a part of, and not in addition to, their annual
- 14 training. This training and coursework requirement shall occur no
- 15 less frequently than once every two years, and shall include not
- 16 less than three hours of training and coursework in the area of the
- 17 dynamics of power and control, the nature of violence, gender
- 18 roles and socialization, and safety planning for victims every two
- 19 years.



1 (c) The training and coursework required pursuant to this
2 section may be conducted by nonprofit community organizations
3 with expertise in domestic violence issues.

4 (d) Notwithstanding any other provision of law, this section
5 shall not apply to any probation officer whose job description and
6 duties would not, as determined by the chief probation officer of
7 each county, bring the probation officer in contact with either
8 offenders or victims of domestic violence.

9 (e) Any probation department that has an established domestic
10 violence training program for its probation officers that meets or
11 exceeds the requirements of this section may apply to the Board
12 of Corrections to exempt its personnel from some or all of the
13 training requirements of this section.

14 (f) Any probation department that has an established domestic
15 violence training program for its probation officers is encouraged
16 to consult with nonprofit community organizations with an
17 expertise in domestic violence issues.

18 (g) Nonprofit community organizations with an expertise in
19 domestic violence issues are encouraged to develop curriculum
20 and obtain certification to more effectively assist probation
21 departments in their training requirements.

22 SEC. 2. Notwithstanding Section 17610 of the Government
23 Code, if the Commission on State Mandates determines that this
24 act contains costs mandated by the state, reimbursement to local
25 agencies and school districts for those costs shall be made pursuant
26 to Part 7 (commencing with Section 17500) of Division 4 of Title
27 2 of the Government Code. If the statewide cost of the claim for
28 reimbursement does not exceed one million dollars (\$1,000,000),
29 reimbursement shall be made from the State Mandates Claims
30 Fund.

